

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

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John Edward Hammond, #122180,

Plaintiff,

v.

William R. Byars, Jr., Director;
Major D. Bush; Capt. R. Abston;
Lt. B. Hunter; Lt. C. Williams, Jr.;
Lt. J. Bennett; Lt. D. Harouff; Sgt.
J. Jeffrey; Ofc. M. Sayphens; and
Jon E. Ozmint, et al.,

Defendants.

2012 JUN -5 A 9:31

Civil Action No. 3:12-217-SB

ORDER

This matter is before the Court upon the Plaintiff's pro se complaint, wherein he alleges excessive force and medical indifference against numerous South Carolina Department of Corrections officials and employees. By local rule, the matter was referred to a United States Magistrate Judge for preliminary determinations.

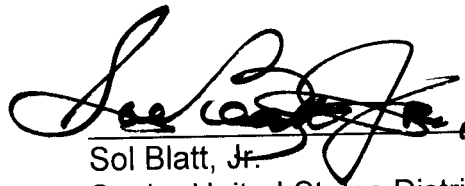
On May 10, 2012, United States Magistrate Judge Joseph R. McCrorey issued a report and recommendation ("R&R") analyzing the Plaintiff's complaint and finding it to be frivolous as to all Defendants. Accordingly, the Magistrate Judge recommended that the Court dismiss the complaint with prejudice and deem this case a "strike" for purposes of the "three strikes" rule. See 28 U.S.C. § 1915(g). Attached to the R&R was a notice advising the Plaintiff of his right to file specific, written objections to the R&R within fourteen days of the date of service of the R&R. To date, no objections have been filed.

Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a Magistrate Judge's factual or legal

conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriners's Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, because the Plaintiff did not file any specific, written objections, the Court need not conduct a de novo review of any portion of the R&R. Accordingly, the Court hereby adopts the Magistrate Judge's R&R as the Order of this Court, and it is

ORDERED that the Plaintiff's complaint is dismissed with prejudice as substantially frivolous pursuant to 28 U.S.C. § 1915A(b)(1). It is further ordered that this case is deemed a "strike" for purposes of the "three strikes" rule of 28 U.S.C. § 1915(g).

IT IS SO ORDERED.


Sol Blatt, Jr.
Senior United States District Judge

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June 4, 2012
Charleston, South Carolina